



DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2009-0025]

Underwriters Laboratories, Inc.: Request for Renewal of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor

ACTION: Notice

SUMMARY: In this notice, OSHA announces the Underwriters Laboratories, Inc. (UL), application containing a request for renewal of recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before [INSERT DATE 15 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Submit comments by any of the following methods:

1. **Electronically:** Submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for making electronic submissions.
2. **Facsimile:** If submissions, including attachments, are not longer than 10 pages, commenters may fax them to the OSHA Docket Office at (202) 693-1648.
3. **Regular or express mail, hand delivery, or messenger (courier) service:** Submit a copy of comments and any attachments to the OSHA Docket Office, Docket No. OSHA-2009-0025, Technical Data Center, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210; telephone: (202) 693-2350 (TDY number: (877) 889-5627). Note that security procedures may result in significant delays in

receiving comments and other written materials by regular mail. Contact the OSHA Docket Office for information about security procedures concerning delivery of materials by express delivery, hand delivery, or messenger service. The hours of operation for the OSHA Docket Office are 8:15 a.m. - 4:45 p.m., e.t.

4. Instructions: All submissions must include the Agency name and the OSHA docket number (OSHA-2009-0025). OSHA will place all submissions, including any personal information provided, in the public docket without revision, and these submissions will be available online at <http://www.regulations.gov>.

5. Docket: To read or download submissions or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Contact the OSHA Docket Office for assistance in locating docket submissions.

6. Extension of comment period: Submit requests for an extension of the comment period on or before [INSERT DATE 15 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER] to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3655, Washington, DC 20210, or by fax to (202) 693-1644.

FOR FURTHER INFORMATION CONTACT: David W. Johnson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and

Emergency Management, Occupational Safety and Health Administration, U.S.
Department of Labor, 200 Constitution Avenue, NW., Room N-3655, Washington, DC
20210, phone (202) 693-2110, or email at johnson.david.w@dol.gov.

SUPPLEMENTAL INFORMATION:

I. Background

OSHA recognition of an NRTL signifies that the organization meets the requirements in Section 1910.7 of Title 29, Code of Federal Regulations (29 CFR 1910.7).

Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products properly approved by the NRTL to meet OSHA standards that require testing and certification. OSHA maintains an informational Web site for each NRTL that details its scope of recognition available at <http://www.osha.gov/dts/otpca/nrtl/index.html>.

OSHA processes applications by an NRTL for renewal of recognition following requirements in Appendix A to 29 CFR 1910.7. OSHA conducts renewals in accordance with the procedures in 29 CFR 1910.7, App. II.C. In accordance with these procedures, NRTLs submit a renewal request to OSHA, not less than nine months, or no more than one year, before the expiration date of its current recognition. A renewal request includes a request for renewal and any additional information the NRTL wishes to submit to demonstrate its continued compliance with the terms of its recognition and 29 CFR 1910.7. If OSHA has not conducted an on-site assessment of the NRTL's headquarters and key sites within the past 18 to 24 months, it will schedule the necessary on-site assessments prior to the expiration date of the NRTL's recognition. Upon review of the

submitted material and, as necessary, the successful completion of the on-site assessment, OSHA announces its preliminary decision to grant or deny renewal in the Federal Register and solicit comments from the public. OSHA then publishes a final Federal Register notice responding to any comments and renewing the NRTL's recognition for a period of five years, or denying the renewal of recognition.

UL initially received OSHA recognition as an NRTL on June 13, 1988, referenced in a Federal Register notice dated June 29, 1995 (60 FR 33852). UL's most recent renewal was on May 08, 2002, for a five-year period ending on May 08, 2007. UL submitted a timely request for renewal, dated July 27, 2006 (see Ex. OSHA-2009-0025-0003), and retains its recognition pending OSHA's final decision in this renewal process. The current addresses of the UL facilities recognized by OSHA and included as part of the renewal request are:

- 1) UL Northbrook, 333 Pfingsten Road, Northbrook, Illinois 60062;
- 2) UL International Netherlands B.V., Delta 1A, Business Park IJsseloord 2, Arnhem, Netherlands 6825 ML;
- 3) UL International Italia S.r.l., Via Archimede, 42, Agrate Brianza, Italy 20041;
- 4) UL International Services, Ltd. Taiwan, 1st Floor, 260 Da-Yeh Road, Pei Tou District, Taipei City, Taiwan 112;
- 5) UL Japan, 4383-326 Asam-cho, Ise-shi, Japan 516-0021;
- 6) UL San Jose, 455 Trimble Road, San Jose, California 95131;
- 7) UL Melville, 1285 Walt Whitman Road, Melville, New York 11747;
- 8) UL International Germany GmbH, Admiral-Rosendahl-Strasse 9, 23, Neu-Isenburg 63263;

- 9) UL Canada, 7 Underwriters Road, Toronto, Ontario, Canada MiR 3A9;
- 10) UL Research Triangle Park, 12 Laboratory Drive, P.O. Box 13995, Research Triangle Park, North Carolina 27709;
- 11) UL International Denmark A/S, Borupvang 5A, Ballerup, Denmark DK-2750;
- 12) UL International UK Ltd., Womersley House; The Guildway; Old Portsmouth Road, Guildford, Surrey, United Kingdom, GU3 1LR;
- 13) UL International Limited Hong Kong, 18th Floor, Delta House, 3 On Yiu Street, Shatin, Hong Kong;
- 14) UL Camas, 2600 N.W. Lake Road, Camas, Washington 98607; and
- 15) UL Korea, 33rd Floor Gangnam Finance Center, 737 Yeoksam-dong Gangnam-gu, Seoul, Korea 135-984.

II. Notice of Preliminary Findings

OSHA is providing notice that UL is applying for renewal of its current recognition as an NRTL. This renewal covers UL's existing NRTL scope of recognition. OSHA evaluated UL's application for renewal and preliminarily determined that UL can continue to meet the requirements prescribed by 29 CFR 1910.7 for recognition. Accordingly, OSHA is making a determination that it does not need to conduct an on-site review of UL's facilities based on its evaluations of UL's application and all other available information. This information includes OSHA's most recent audits of UL's headquarters, UL Northbrook, conducted on September 10-11, 2013, and on April 4-7, 2011, in which the auditors found some non-conformances with the requirements of 29 CFR 1910.7. UL addressed these issues sufficiently to meet the applicable NRTL requirements.

OSHA staff also performed audits of the UL International Services, Ltd. Taiwan site on November 6-7, 2008; of the UL Melville site on October 20-22, 2008; of the UL International Germany GmbH on June 22-23, 2009; of the UL Research Triangle Park on February 14-15, 2013; of the UL International Denmark A/S, on June 22-23, 2008 and on April 22-23, 2013; of the UL International UK Ltd. On April 18-19, 2011; and of the UL International Limited Hong Kong on November 3-4, 2008. The auditors found some non-conformances with the requirements of 29 CFR 1910.7. UL addressed these issues sufficiently to meet the applicable NRTL requirements. This preliminary finding does not constitute an interim or temporary approval of the application for renewal.

OSHA welcomes public comment as to whether UL meets the requirements of 29 CFR 1910.7 for renewal of their recognition as an NRTL. Comments should consist of pertinent written documents and exhibits. Commenters needing more time to comment must submit a request in writing, stating the reasons for the request. OSHA must receive the written request for an extension by the due date for comments. OSHA will limit any extension to 30 days unless the requester justifies a longer period. OSHA may deny a request for an extension if it is not adequately justified. To obtain or review copies of the publicly available information in UL's application and other pertinent documents (including exhibits), as well as all submitted comments, contact the Docket Office, Room N-2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address; these materials also are available online at <http://www.regulations.gov> under Docket No. OSHA-2009-0025.

The NRTL Program staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will

recommend whether to grant UL's application for renewal. The Assistant Secretary will make the final decision on granting the application and, in making this decision, may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7. OSHA will publish a public notice of this final decision in the Federal Register.

III. Authority and Signature

David Michaels, PhD, MPH, Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue, NW., Washington, DC 20210, authorized the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 1-2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC on February 19, 2014.

David Michaels,
Assistant Secretary of Labor for Occupational Safety and Health.

BILLING CODE: 4510-26-P

**[FR DOC. 2014-03918 FILED 02/24/2014 AT 8:45 AM; PUBLICATION DATE:
02/25/2014]**